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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MICHAEL WILLIAMS

Plaintiff,

V.

UNITED STATES OF AMERICA

Defendant.

Civil Action No.

COMPLAINT

PARTIES

1. Plaintiff Michael Williams, resides at 37 Brynmawr Avenue, Ewing Township, Mercer County, New Jersey.
2. The United States Postal Service is (under 39 U.S.C. § 101) an independent establishment of the executive branch of the United States Government, maintains postal service facilities throughout the United States, including Trenton, New Jersey located at 28 South Montgomery Street, Trenton, New Jersey.

Postal Service headquarters are located at 475 L'Enfant Plaza, S.W. Washington, D.C.

JURISDICTION AND VENUE

3. With respect to defendant United States of America, this Court has sole and exclusive jurisdiction of the subject matter of this lawsuit under 28 U.S.C. §1346(b),

4. Venue is proper in this district pursuant to 28 U.S.C. § 1391 as the Plaintiff resides in this district, and the acts and omissions that give rise to this action occurred in this district.

5. Plaintiff has filed a Notice of Claim against the United States of America for injuries sustained in this accident. The United States of American denied this claim on October 22, 2020. Plaintiff has exhausted his administrative remedies and has filed this action in accordance with 28 U.S.C. 2401(b).

FACTUAL ALLEGATIONS

6. On or about December 5, 2017, Plaintiff, Michael Williams, was a passenger in an ambulance owned by Trenton Emergency Medical Service, which was being operated by Anthony Dellaquila, as its agent, servant or employee, on Philips Avenue, at/near its intersection with Martin Luther King Jr. Blvd., in the City of Trenton, County of Mercer, and State of New Jersey.

7. At or about the same time and place, the United States of America (USA) was the owner of a postal truck which was being operated by Crystal N. Jackson, who was operating the postal truck as an independent contractor and/or as an agent, servant

or employee of the United States of America, on Phillips Avenue at/near its intersection with Martin Luther King Jr. Blvd., in the City of Trenton, County of Mercer, and State of New Jersey.

8. At all times material hereto, Defendant, USA, so negligently owned, operated, maintained, insured, entrusted and/or hired for their motor vehicle(s) so as to cause a collision with the postal truck operated by Crystal N. Jackson and owned by the United States of America.

9. As a direct and proximate result of the carelessness, recklessness, and negligence of the Defendant, USA, as aforesaid, and their disregard for the safety of others, Plaintiff, Michael Williams, was caused to suffer severe bodily injuries, some or all of which are permanent in nature; has been caused to aggravate any pre-existing medical condition, symptomatic and/or asymptomatic, which is permanent; has been caused and will be caused great pain and suffering; has been caused and will be caused to expend large sums of money for medical treatment necessary to effect a cure for his injuries; and, has been caused and will be caused to lose large sums of money due to his inability to pursue his usual occupation.

WHEREFORE, Plaintiff, Michael Williams, demands Judgment for damages generally against the Defendant, United States of America, together with interest and costs of suit.

OTHER ACTIONS/PARTIES

Plaintiff herein, has filed a Complaint in the Superior Court of New Jersey, Law Division, Mercer County against Trenton Emergency Medical Service, Anthony

Dellaquila and Crystal N. Jackson bearing docket number MER-L-2285-19, for damages arising out of the aforesaid December 5, 2017 motor vehicle accident. Plaintiff will seek to consolidate the New Jersey Superior Court matter with the instant matter pursuant to 28 U.S.C. 1367.

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By: W. John Weir
W. John Weir, Esquire

Dated: November 6, 2020